

**ASSEMBLY, No. 2162**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED FEBRUARY 7, 2022

**Sponsored by:**

**Assemblyman PARKER SPACE**

**District 24 (Morris, Sussex and Warren)**

**Assemblyman HAROLD "HAL" J. WIRTHS**

**District 24 (Morris, Sussex and Warren)**

**SYNOPSIS**

Authorizes municipalities that petition for or receive substantive certification pursuant to the “Fair Housing Act” to make certain affordable housing units available on a preferential basis to certain eligible persons.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT authorizing municipalities to make affordable housing  
2 units sponsored by corporate employers, owners of accessory  
3 units of housing, and farm owners, available to persons of low  
4 and moderate income on a preferential basis and supplementing  
5 P.L.1985, c.222.

6  
7 **BE IT ENACTED** by the Senate and General Assembly of the State  
8 of New Jersey:

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10 1. a. Notwithstanding the provisions of any law, rule or  
11 regulation to the contrary, a municipality which has petitioned for  
12 or received substantive certification of its affordable housing plan  
13 from the Council on Affordable Housing pursuant to the "Fair  
14 Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) may reserve,  
15 or may make available on a priority basis, units of affordable  
16 housing as follows:

17 (1) in the case of any unit of affordable housing sponsored by a  
18 corporate employer, any employee of that corporate sponsor who  
19 meets the income qualifications for a low or moderate income unit  
20 of housing shall have priority to purchase or rent, as appropriate,  
21 that unit of affordable housing;

22 (2) in the case of any unit of affordable housing sponsored by  
23 the owner of any farm that employs migrant workers, any migrant  
24 worker who meets the income qualifications for a low or moderate  
25 income unit of housing shall have priority to purchase or rent, as  
26 appropriate, that unit of affordable housing; and

27 (3) in the case of any unit of affordable housing created as an  
28 accessory unit of, and sponsored by, the owner of any unit of  
29 housing, any family member who meets the income qualifications  
30 for a low or moderate income unit of housing shall have priority to  
31 purchase or rent, as appropriate, that accessory unit of affordable  
32 housing.

33 b. affirmative regional marketing of any unit of affordable  
34 housing which meets the criteria of this section shall not be required  
35 in order for the unit to be credited toward the fair share obligation  
36 of a municipality pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).

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38 2. This act shall take effect immediately.

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#### STATEMENT

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43 This bill would authorize any municipality which has petitioned  
44 for or received substantive certification of its affordable housing  
45 plan from the Council on Affordable Housing pursuant to the "Fair  
46 Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) to reserve or  
47 make available on a priority basis certain units of affordable  
48 housing.

**A2162 SPACE, WIRTHS**

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1       In the case of any unit of affordable housing sponsored by a  
2 corporate employer, the bill would authorize any employee of that  
3 corporate sponsor who meets the income qualifications for a low or  
4 moderate income unit of housing to have priority to purchase or  
5 rent, as appropriate, that unit of affordable housing.

6       In the case of any unit of affordable housing sponsored by the  
7 owner of any farm that employs migrant workers, the bill would  
8 authorize any migrant worker who meets the income qualifications  
9 for a low or moderate income unit of housing to have priority to  
10 purchase or rent, as appropriate, that unit of affordable housing.

11       In the case of any unit of affordable housing created as an  
12 accessory unit of, and sponsored by, the owner of any unit of  
13 housing, the bill would authorize any family member who meets the  
14 income qualifications for a low or moderate income unit of housing  
15 to have priority to purchase or rent, as appropriate, that accessory  
16 unit of affordable housing.

17       The bill also exempts from the requirement of affirmative  
18 regional marketing any unit of affordable housing meeting the  
19 criteria set forth in the bill, allowing such units to be credited  
20 against the fair share housing obligation of the municipality.